

The Honorable Robert S Lasnik

**JAMES MCDONALD**  
**14840 119<sup>th</sup> PL NE**  
**Kirkland, WA 98034**  
**Phone (425) 210-0614**  
**In Pro Per**

**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF WASHINGTON**  
**AT SEATTLE**

<b>In Re:</b>	)	<b>NO.: C10-1952RSL</b>
	)	
<b>JAMES MCDONALD</b>	)	<b>Second Declaration of James McDonald</b>
<b>Plaintiff</b>	)	<b>In Support of Plaintiff's Motion for</b>
<b>v</b>	)	<b>Partial Summary Judgment</b>
<b>ONEWEST BANK, FSB, et al.,</b>	)	
<b>Defendants.</b>	)	
	)	

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**James McDonald declares as follows:**

1. I am the Plaintiff, acting as Pro Se, in the present litigation. I am above the age of 18 and am competent to testify at trial. I have direct, personal knowledge of the matters referred to herein.
2. Every document I am including in this Reply is as received or discovered, unaltered.
3. I met the counsel for the Defense, Heidi Buck, at her office on July 13, 2011 to view the alleged promissory note in her possession. Upon examining the Note I noticed that it was in pristine condition as if it had recently come off the printer ready to be signed. There was no wear on the paper from the multiple hands it had passed through. Also, there was no trace of where the pen I used actually touched the paper. I advised Miss Buck at that time that I believed the Note appeared to be a recreated document.
4. On May 13 I requested the Clerk of the Court to issue two subpoenas, one of which was to Deutsche Bank National Trust Company, the "Custodian" in the Custodial Agreement used as evidence by the Defendants. I then mailed the subpoena which was received on May 16, 2011 (Exhibit 3). I received the response from DBNTC on May 23, 2011 (Exhibit 1). At no

1 time prior to receiving the document had I been informed of the transfer of the file from  
2 the Custodian to the alleged servicer.

3 I declare under the penalty of perjury under the laws of the State of Washington that the foregoing is true  
4 and correct. This declaration was executed on the 29<sup>th</sup> day of March, 2012.

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9 **/s/ James McDonald -**  
10 **James McDonald**  
11 **Plaintiff**  
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